

substantial in relation to the total cost of the procurement.

(3) Benefits to be considered

The benefits considered for the purposes of paragraphs (1) and (2) may include cost and, regardless of whether quantifiable in dollar amounts—

- (A) quality;
- (B) acquisition cycle;
- (C) terms and conditions; and
- (D) any other benefit.

(4) Department of Defense

(A) In general

The Department of Defense and each military department shall comply with this section until after the date described in subparagraph (C).

(B) Rule

After the date described in subparagraph (C), contracting by the Department of Defense or a military department shall be conducted in accordance with section 2382 of title 10.

(C) Date

The date described in this subparagraph is the date on which the Administrator determines the Department of Defense or a military department is in compliance with the Government-wide contracting goals under section 644 of this title.

(Pub. L. 85-536, §2[44], as added Pub. L. 111-240, title I, §1313(a)(2), Sept. 27, 2010, 124 Stat. 2538.)

CODIFICATION

In subsec. (a)(1), “section 1702(a) of title 41” substituted for “section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

In subsec. (a)(3), “section 1702(c) of title 41” substituted for “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

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